

Conference Engrossed

State of Arizona
House of Representatives
Forty-fifth Legislature
First Regular Session
2001

CHAPTER 387

HOUSE BILL 2595

AN ACT

AMENDING SECTION 36-275, ARIZONA REVISED STATUTES; MAKING APPROPRIATIONS;
RELATING TO DISEASE RESEARCH.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 36-275, Arizona Revised Statutes, is amended to
3 read:

4 36-275. Health research fund

5 A. The health research fund is established. Notwithstanding any law
6 to the contrary, the department shall deposit, pursuant to sections 35-146
7 and 35-147, all monies it administers pursuant to section 36-773 into the
8 health research fund. The commission shall administer the fund.

9 B. The commission shall only expend monies in the health research fund
10 for research on the prevention and treatment of tobacco related disease and
11 addiction AND RESEARCH INTO THE CAUSES, EPIDEMIOLOGY AND DIAGNOSIS OF
12 DISEASES, THE FORMULATION OF CURES, THE MEDICALLY ACCEPTED TREATMENT OR THE
13 PREVENTION OF DISEASES INCLUDING NEW DRUG DISCOVERY AND DEVELOPMENT, which
14 AND may include behavioral studies and attitude assessments, and for expenses
15 incurred by the commission in carrying out the purposes defined DESCRIBED in
16 section 36-773.

17 C. Monies in the health research fund are exempt from section 35-190
18 relating to lapsing of appropriations.

19 Sec. 2. Appropriations; purpose; audit; exemption

20 A. If tobacco settlement monies are distributed pursuant to section
21 5-522, subsection E, Arizona Revised Statutes, the sum of \$1,000,000 is
22 appropriated from the disease control research fund established pursuant to
23 section 36-274, Arizona Revised Statutes, in each of fiscal years 2001-2002
24 and 2002-2003 to the department of health services for the purpose of
25 distribution to universities, hospitals and research centers in this state
26 for grants for Alzheimer's research, recruitment and retention efforts.

27 B. Applicants for the Alzheimer's disease research grants shall apply
28 to the director of the department of health services. The director shall
29 only consider applicants that are organized as statewide collaborative
30 Alzheimer's disease research programs that consist of universities, hospitals
31 and research centers.

32 C. An Alzheimer's disease research grant recipient may use up to
33 \$150,000 of a grant for administrative costs relating to the grant received.

34 D. For the purposes of the Alzheimer's disease research monies, the
35 department is exempt from the procurement code requirements of title 41,
36 chapter 23, Arizona Revised Statutes, for one year after the effective date
37 of this act.

38 E. Any monies appropriated in subsection A of this section that are
39 not used for recruitment and retention efforts may be used by the recipient
40 for Alzheimer's disease research.

41 F. The monies appropriated in subsection A of this section shall not
42 be spent for any research that uses human fetal tissue, cells or organs that
43 are obtained from a living or dead embryo or fetus during or after an induced

1 abortion. This subsection does not apply to human fetal tissue, cells or
2 organs that are obtained from a spontaneous abortion or an ectopic pregnancy.

3 G. The appropriations made in subsection A of this section are exempt
4 from the provisions of section 35-190, Arizona Revised Statutes, relating to
5 lapsing of appropriations.

6 Sec. 3. Appropriations; purpose; exemption

7 A. If tobacco settlement monies are distributed pursuant to section
8 5-522, subsection E, Arizona Revised Statutes, the Arizona disease control
9 research commission shall use \$800,000 from the disease control research fund
10 in each of fiscal years 2001-2002 and 2002-2003 to establish at least one
11 research contract through the procurement process in title 41, chapter 23,
12 Arizona Revised Statutes, for research on Parkinson's disease.

13 B. The monies appropriated in subsection A of this section shall not
14 be spent for any research that uses human fetal tissue, cells or organs that
15 are obtained from a living or dead embryo or fetus during or after an induced
16 abortion. This subsection does not apply to human fetal tissue, cells or
17 organs that are obtained from a spontaneous abortion or an ectopic pregnancy.

18 C. The appropriation made in subsection A of this section is exempt
19 from the provisions of section 35-190, Arizona Revised Statutes, relating to
20 lapsing of appropriations.

21 Sec. 4. Appropriations; purpose

22 If tobacco settlement monies are distributed pursuant to section 5-522,
23 subsection E, Arizona Revised Statutes, the Arizona disease control research
24 commission shall use \$200,000 in each of fiscal years 2001-2002 and 2002-2003
25 from the disease control research fund for research on diseases of the brain.

26 Sec. 5. Appropriations; purpose

27 ~~A. The sum of \$100,000 is appropriated from the state general fund in~~
28 ~~each of fiscal years 2001-2002 and 2002-2003 to the disease control research~~
29 ~~commission to establish a research grant through the procurement process in~~
30 ~~title 41, chapter 23, Arizona Revised Statutes, for research on Parkinson's~~
31 ~~disease.~~

32 ~~B. The appropriations made in subsection A of this section are exempt~~
33 ~~from the provisions of section 35-190, Arizona Revised Statutes, relating to~~
34 ~~lapsing of appropriations until July 1, 2003.~~

35 Sec. 6. Audit; purpose

36 The office of the auditor general shall conduct a special review of the
37 disease control research fund established pursuant to section 36-274, Arizona
38 Revised Statutes, and the health research fund established pursuant to
39 section 36-275, Arizona Revised Statutes, and submit a copy of the special
40 review to the governor, the president of the senate, the speaker of the house
41 of representatives, the chairpersons of the senate and house appropriations
42 committees and the chairpersons of the senate and house health committees on
43 or before October 1, 2001.

APPROVED BY THE GOVERNOR MAY 8, 2001.

FILED IN THE OFFICE OF THE SECRETARY OF STATE MAY 9, 2001.

Passed the House March 14, 2001,

by the following vote: 54 Ayes,

0 Nays, 6 Not Voting

[Signature]
Speaker of the House

Norman L. Moore
Chief Clerk of the House

Passed the Senate April 27, 2001,

by the following vote: 22 Ayes,

7 Nays, 1 Not Voting
Except for Sections 3, 4, 5 which failed
to obtain 3/4's vote
pursuant to Part 1
Art. IV, Sec. 101,
Subsec. 6,
AZ Const.

[Signature]
President of the Senate
Norma Lowe
Asst. Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill was received by the Governor this

 day of , 20 ,

at o'clock M.

Secretary to the Governor

Approved this day of

 , 20 ,

at o'clock M.

Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State
this day of , 20 ,

at o'clock M.

Secretary of State

H.B. 2595

ON RECONSIDERATION

Passed the Senate April 27, 2001,

by the following vote: 23 Ayes,

5 Nays, 2 Not Voting

with the concurrence for enactment pursuant to Art. IV, part 1, section 3, subsec. 6, Ariz. Const. for secs. 34, 5
Robert Smith
President of the Senate

Chambers Bellinger
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill was received by the Governor this

_____ day of _____, 20____,

at _____ o'clock _____ M.

Secretary to the Governor

Approved this _____ day of _____

_____, 20____,

at _____ o'clock _____ M.

Governor of Arizona

H.B. 2595

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this _____ day of _____, 20____,

at _____ o'clock _____ M.

Secretary of State

HOUSE FINAL PASSAGE
as per Joint Conference

Passed the House May 02, 20 01,

by the following vote: 47 Ayes,

7 Nays, 6 Not Voting

Speaker of the House

Chief Clerk of the House

SENATE FINAL PASSAGE
as per Joint Conference

Passed the Senate May 2, 20 01,

by the following vote: 27 Ayes,

0 Nays, 3 Not Voting

President of the Senate

Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill was received by the Governor

this 3 day of May, 20 01,

at 11:03 o'clock A M.

Secretary to the Governor

Approved this 8 day of

May, 20 01,

at 3:52 o'clock P M.

Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this 9 day of May, 20 01,

at 3:35 o'clock P M.

Secretary of State

H.B. 2595